

REMARKS

Claims 1, and 3 to 5 are pending. Claim 2 has been cancelled. No claims are allowed.

Claims 1 to 5 were rejected under 35 USC 112, second paragraph. The claims have been corrected as suggested.

Claims 1 has been amended to claim only malvidin. The claims have been broadened to cover cancer cells in general as in Figure 7 and as set forth in the Examples in the specification.

The Claim 1 or 1 and 2 were rejected under 35 USC 102(b) over either Kamei et al or Koide et al. These references do not disclose malvidin. Reconsideration is requested.

Claims 1 to 5 were rejected under 35 USC 103(a) as being unpatentable over Kamei et al and Koide et al (V) in view of Tsuda et al (W). The primary references do not suggest the claimed invention. Tsuda et al relates to cyanidin. The combination of references does not suggest the presently claimed invention, particularly the broad spectrum anti-cancer cell results achieved with malvidin as shown in Figure 7. Malvidin is also

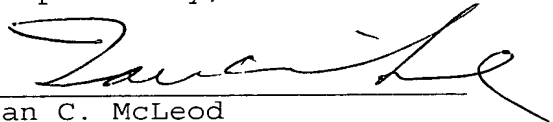
Attorney Docket No. MSU 4.1-672  
Appl. No. 10/725,214  
Amdt. Dated: May 13, 2005  
Reply to Office Action of 02/02/2005

chemically different from the other compounds.  
Reconsideration of this rejection is requested.

The claims were rejected based upon double patenting. U.S. Patent No. 6,656,914 relates to cyanidin, a different compound. Thus there is no double patenting. Reconsideration of this rejection is requested.

It is now believed that Claims 1, and 3 to 5 are in condition for allowance. Notice of Allowance is requested.

Respectfully,



Ian C. McLeod  
Registration No. 20,931

McLeod & Moyne, P.C.  
2190 Commons Parkway  
Okemos, Michigan 48864  
(517) 347-4100  
Fax: (517) 347-4103